

**Senate File 260 - Introduced**

SENATE FILE 260

BY CHELGREN

**A BILL FOR**

1 An Act relating to the conditions under which a licensed  
2 teacher may remove a student from the teacher's assigned  
3 classroom, and including administrative protections and  
4 immunity from civil and criminal liability.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 280.27, Code 2015, is amended to read as  
2 follows:

3 **280.27 Reporting violence — removing students — protections**  
4 **— immunity.**

5 1. An employee of a school district, an accredited nonpublic  
6 school, or an area education agency who participates in good  
7 faith and acts reasonably in the making of a report to, or  
8 investigation by, an appropriate person or agency regarding  
9 violence, threats of violence, physical or sexual abuse of  
10 a student, or other inappropriate activity against a school  
11 employee or student in a school building, on school grounds,  
12 or at a school-sponsored function shall be immune from civil  
13 or criminal liability relating to such action, as well as for  
14 participating in any administrative or judicial proceeding  
15 resulting from or relating to the report or investigation.

16 2. A teacher who is licensed under chapter 272 and employed  
17 by a school district, an accredited nonpublic school, or  
18 an area education agency may temporarily or permanently  
19 remove from the teacher's assigned classroom a student who is  
20 continuously or extremely disruptive in the teacher's assigned  
21 classroom. The teacher shall immediately submit written  
22 notice of such action, including a statement describing the  
23 incident, to the school administrator and to the president  
24 of the board or the authorities in charge of the school,  
25 as appropriate. The teacher shall not be disciplined or  
26 placed on administrative leave solely for removing a student  
27 from the teacher's assigned classroom in accordance with  
28 this subsection. At the request of the teacher, the school  
29 district, school, or area education agency shall either  
30 reassign the student to a different classroom or to a different  
31 teacher or shall provide educational services to the student  
32 in an alternative setting. A teacher who reasonably and in  
33 good faith removes a student from the teacher's assigned  
34 classroom and submits notice of the incident in accordance  
35 with this subsection shall be immune from civil or criminal

1 liability relating to the incident, and to participation in  
2 any administrative or judicial proceeding resulting from or  
3 relating to the incident.

4 EXPLANATION

5 The inclusion of this explanation does not constitute agreement with  
6 the explanation's substance by the members of the general assembly.

7 This bill authorizes a licensed teacher who is employed by  
8 a school district, an accredited nonpublic school, or an area  
9 education agency to temporarily or permanently remove from the  
10 teacher's assigned classroom a student who is continuously  
11 or extremely disruptive in the teacher's assigned classroom,  
12 and provides protections from administrative discipline and  
13 immunity from civil or criminal liability for such action.

14 The teacher must immediately submit written notice of such  
15 action, including a statement describing the incident, to the  
16 school administrator and to the president of the board or the  
17 authorities in charge of the school, as appropriate.

18 If the teacher takes action and submits notice as provided  
19 in the bill, the teacher shall not be disciplined or placed on  
20 administrative leave solely for removing a student from the  
21 classroom. At the request of the teacher, the school district,  
22 school, or area education agency shall either reassign the  
23 student to a different classroom or to a different teacher  
24 or shall provide educational services to the student in an  
25 alternative setting. A teacher who reasonably and in good  
26 faith removes a student from the teacher's assigned classroom  
27 and submits notice of the incident as required under the  
28 bill is immune from civil or criminal liability relating to  
29 the incident, and to participation in any administrative or  
30 judicial proceeding resulting from or relating to the incident.